

REMARKS

Applicants thank the Examiner for the thorough consideration given the present application.

Status of the Claims

Claims 1, 3-24 and 32-36 are now present in this application. Claim 1 is independent.

Claim 1 has been amended. Reconsideration of this application, as amended, is respectfully requested.

Examiner Interview

Applicants wish to thank the Examiner for the courtesies extended to Applicants' representative during the personal interview which was conducted on April 15, 2010. An Examiner Interview Summary has been made of record, and Applicants agree with the substance of the Interview Summary Form. The claims have been amended to place the claims in compliance with 35 U.S.C. 112, 1st paragraph and overcome the claim objection, and are believed to place the application into condition for allowance. Accordingly, reconsideration and allowance of the present application are respectfully requested.

Request for Entry of Response After Final Rejection

This response should be entered after final rejection because the references relied upon in the rejections made in the Office Action do not disclose the stacking of droplets as recited in claim 1. This issue was discussed at the interview of April 15, 2010.

In the event that this response does not place this application into condition for allowance, the Examiner is requested to enter this response because it places the application into better condition for appeal. The Amendment overcomes the rejections based on 35 U.S.C. § 112, 1st Paragraph and overcome the claim objection but does not make any substantive changes to the claims.

Information Disclosure Citation

Applicants thank the Examiner for considering the reference(s) supplied with the Information Disclosure Statement filed December 7, 2009, and for providing Applicants with an initialed copy of the PTO-SB08 form filed therewith.

Drawings

Applicants thank the Examiner for indicating that the drawings are accepted.

Claim Objection

The Examiner has objected to claim 1 because of several informalities. In order to overcome this objection, Applicants have amended claim 1 in order to correct the deficiencies pointed out by the Examiner. Reconsideration and withdrawal of this objection are respectfully requested.

Rejection Under 35 U.S.C. § 112, 1st Paragraph

Claim 1 stands rejected under 35 U.S.C. § 112, 1st Paragraph. This rejection is respectfully traversed.

The Examiner states that the specification does not describe the droplets being dried during flight. Applicants have amended the claims to recite the droplet being dried to be a solidified substance after landing on the substrate.

Applicants respectfully submit that the claims, as amended, comply with the enablement and written description requirements of 35 U.S.C. § 112, 1st paragraph. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Rejection under 35 U.S.C. § 102

Claims 1, 32, 35 and 36 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Uchiyama. This rejection is respectfully traversed.

A complete discussion of the Examiner's rejection is set forth in the Office Action, and is not being repeated here.

As discussed at the interview, Uchiyama discloses a nozzle 20 ejecting droplets passing through an electrode 21. The object of the invention is to prevent secondary dots 26a that detract from the quality of the printed image. Uchiyama does not disclose the stacking of droplets. Accordingly, reconsideration and withdrawal of this objection are respectfully requested.

Rejections under 35 U.S.C. § 103

Claims 1, 3-6, 8-13, 23, 24 and 35 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Danforth in view of Sachs et al. Further, claims 7, 14-22 and 32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Danforth in view of Sachs et al. and Hayes and claims 32-34 and 36 stand under 35 U.S.C. § 103(a) as being unpatentable over Danforth in view of Sachs et al. and Uchiyama. These rejections are respectfully traversed.

Complete discussions of the Examiner's rejections are set forth in the Office Action, and are not being repeated here.

In each rejection, the Examiner relied upon Sachs et al. for allegedly disclosing the formation of a three dimensional structure by stacking droplets. However, as discussed at the interview, the three dimensional structure of Sachs et al. is formed by bonding together successive layers of a porous material with droplets of binder material. There is no disclosure of stacking the droplets of binder material and such stacking would serve no purpose in bonding layers of material. Accordingly, reconsideration and withdrawal of these objections are respectfully requested.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.


In view of the above amendment, Applicants believe the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chris McDonald, Registration No. 41,533, at the telephone number of the undersigned below to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Director is hereby authorized in this, concurrent, and future replies to charge any fees required during the pendency of the above-identified application or credit any overpayment to Deposit Account No. 02-2448.

Dated: May 11, 2010

Respectfully submitted,

By 

Marc S. Weiner

Registration No.: 32181

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road, Suite 100 East

P.O. Box 747

Falls Church, VA 22040-0747

703-205-8000